

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : CHAPTER 7  
:   
DAVID A. KIRCHNER :   
:   
:   
DEBTOR(S) : BANKRUPTCY No. 09-19636 SR

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**ORDER**

**AND NOW**, upon consideration of the Trustee's Application to Employ Kelly, Parker & Cohen LLP (KPC) as Special Counsel, the Objection of Mazza Vineyards, Inc., after hearing held, the submission of briefs, and for the reasons set forth in the foregoing Opinion, it is hereby

**ORDERED** that the Application is granted in part and denied in part. The Trustee may retain KPC to prosecute the Debtor's prepetition lawsuit filed in the Court of Common Pleas of Lancaster County, *Jon Jon at PRF, Inc. and David Kirchner v. Mazza Vineyards, Inc. t/d/b/a Pennsylvania Renaissance Faire and Mount Hope Estate & Winery*, CI-9-08437. The Trustee's request to employ KPC to pursue any "additional litigation" referenced in ¶ 6 of her application is denied, without prejudice.

By the Court:



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Stephen Raslavich  
Chief U.S. Bankruptcy Judge

Dated: May 5, 2010

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